

ORIGINAL

FILED
DISTRICT COURT OF GUAM

JAN 07 2008

**JEANNE G. QUINATA
Clerk of Court**

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IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,

CRIMINAL CASE NO. 07-00075

Plaintiff,

VS.

NATHANIEL DIAZ PUNZALAN

Defendant.

NOTICE OF INTENT TO USE EXPERT TESTIMONY

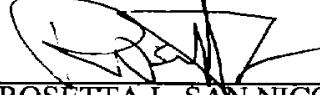
Comes now the United States of America, by and through Rosetta L. San Nicolas,

Assistant U.S. Attorney and respectfully provides notice that the United States intends to use expert testimony pursuant to Federal Rules of Evidence §702 and Federal Rules of Criminal Procedure Rule 16(a)(G). The Government intends to call Alcohol, Tobacco and Firearm and Explosives (ATF) Special Agent John Quintanilla, as an expert at trial. A copy of John Quintanilla's Curriculum Vitae is attached to this Notice of Expert Testimony. Special Agent John Quintanilla will testify concerning his observations, findings, conclusions, opinions, and bases for his opinions. His opinions will be based on an examination of the following: a .45 caliber pistol, brand name: Essex Arms Corp; Serial Number #SS6838, forty three pieces of .45 caliber ammunition, a Springfield Armory pistol, model XD-45, a .45 caliber pistol, serial

1 number US661844, and nine rounds of .45 caliber ammunition. All of the firearms and
2 ammunition were recovered from the defendant on January 2, 2006 and April 11, 2007.
3 His conclusions and opinions were formulated as a result of the examination of the firearms and
4 ammunition. In addition, Special Agent John Quintanilla will testify concerning the purpose of
5 weapons examination, the methods and reasons for such, as well as explaining terminology and
6 findings contained within the reports themselves.

7 Respectfully submitted this 7th day of January, 2008.

8 LEONARDO M. RAPADAS
9 United States Attorney
Districts of Guam and NMI

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11 ROSETTA L. SAN NICOLAS
Assistant U.S. Attorney